

EXHIBIT 2



**U.S. Citizenship
and Immigration
Services**

March 31, 2017

APP2017000278

David L. Cleveland
Catholic Charities of Washington
924 G Street NW
Washington, DC 20001

Dear Mr. Cleveland:

Re: NRC2016103432

You appealed the action of the National Records Center regarding your request for access to records pertaining to Nyankoye Dramou, dated August 17, 2016. The determination of the National Records Center was to withhold 24 pages in part, 13 in full, and 9 pages referred to Immigration and Custom Enforcement (ICE).

After careful consideration of your appeal, and as a result of discussions with the National Records Center, I have decided to release 11 additional pages to you, copies of which are enclosed. I am releasing 11 pages in part. Information has been redacted pursuant to 5 U.S.C. § 552 (b)(5), (b)(6), (b)(7)(C) and (b)(7)(E).

The National Records Center located potentially responsive documents that may have originated from Immigration and Customs Enforcement (ICE), *which has directed U.S. Citizenship and Immigration Services (USCIS) to refer all ICE equities to ICE.*

The National Records Center sent the document(s) and a copy of your Freedom of Information Act (FOIA) request to the ICE FOIA Office for consideration and direct response to you. This is consistent with departmental regulations (See 6 C.F.R. 5.4(c)).

Questions concerning the status of the processing of the document(s) should be directed to the ICE FOIA Office via phone at (866) 633-1182 or via e-mail at ice-foia@dhs.gov. The ICE FOIA Office mailing address is 500 12th Street, S.W., Stop 5009, Washington, D.C. 20536-5009.

In your appeal letter, you requested what is tantamount to a Vaughn index; however, at this stage a Vaughn index is not given or required. See *Vaughn v. Rosen*, 484 F. 2d 820 (D.C. Cir. 1973). Your request to itemize and justify each item of the information withheld is denied. You are not entitled to such a listing at the administrative stage of processing Freedom of Information Act (FOIA) requests and appeals. See *Judicial Watch v. Clinton*, 880 F.Supp. 1, 11 (D.D.C. 1995). Since what you seek is outside the responsibilities of this office, I cannot assist you in this matter.

On the remaining pages, I found that the National Records Center properly withheld certain information that is protected from disclosure. This information is not appropriate for discretionary release.

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If you are dissatisfied with my action on your appeal, you may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

The Office of Government Information Services (OGIS), the Federal Freedom of Information Act (FOIA) Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Telephone: 202-741-5770 or 877-684-6448
Email: ogis@nara.gov
Website: ogis.archives.gov

The OGIS does not have the authority to handle requests made under the Privacy Act of 1974.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan D. Hughes".

Alan D. Hughes, Associate Counsel
Commercial and Administrative Law Division
Department of Homeland Security
Citizenship and Immigration Services

August 2, 2016

FOIA Officer for US-CIS

Lee's Summit, MO 64064-8010

Fax: [816] 350-5785

FOIA Request for Nyankoye Dramou

Dear Sir or Madam:

Catholic Charities of Washington is a "third party" making a request for records of the individual named above. This individual agrees that his/her records may be released to us.

Catholic Charities hereby requests:

- a copy of the notes of the asylum officer;
- a copy of the assessment written by the asylum officer;
- a copy of the "other evidence" mentioned in the Referral Notice

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We also request Track 3 priority processing treatment.
Attached hereto is Notice of hearing/ Notice to Appear.

Sincerely,

Catholic Charities of Washington

Catholic Charities of Washington

c/o David L. Cleveland

924 G Street NW

Washington, DC 20001 [202] 772-4345

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I, Nyankoye Dramou, hereby declare under penalty of perjury:

- I agree that my records may be released to:

Catholic Charities of Washington, 924 G Street NW,
Wash. DC 20001;

- I was born on 03/10/1968 in Conakry, Guinea;

- My address is: 5449 85th Ave #202, Lanham MD 20706;

- my A# is 205-354-443;

I hereby declare under penalty of perjury, as per 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed on August 2, 2016 Signature: *NIA*